

**DNRC REPORT TO WPIC  
ADJUDICATION PROGRESS  
June 30, 2017**

**Claims Reexamination Progress**

- First benchmark 10,000 claims by 6-30-2017\* (*First Benchmark met*)
- Second benchmark 30,000 claims by 6-30-2019
- Third benchmark 60,000 claims by 6-30-2021
- Fourth benchmark 90,000 claims by 6-30-2023

**Reexamination claims completed to date:**

**Total = 13,030**

| <b><u>Summary Reports to Water Court</u></b>                 | <b><u>Date Issued</u></b> |
|--|---------------------------|
| Union Creek (part of 76F)                                    | May 19, 2005              |
| Teton River (41O)  | August 15, 2005           |
| Big Hole River (41D)   | October 31, 2006          |
| Tongue River, below hanging Woman Creek (42C)                | August 7, 2007            |
| Blackfoot River (76F)  | August 14, 2007           |
| Missouri River, from Holter Dam to Sun River (41QJ)          | August 15, 2007           |
| Tongue River, above Hanging Woman (42B)                      | December 5, 2007          |
| Pryor Creek (43E)  | August 18, 2008           |
| Smith River (41J)  | September 1, 2008         |
| Beaver Creek (40M)   | September 1, 2008         |
| Flatwillow Creek (40B)                                       | September 11, 2008        |
| Milk River (40J)   | December 5, 2008          |
| Little Big Horn River (43O)                                  | February 6, 2009          |
| Big Muddy Creek (40R)  | April 6, 2009             |
| Missouri River, Sun River to Marias River (41Q)              | June 16, 2009             |
| Beaverhead River (41B)                                       | August 14, 2009           |
| Arrow Creek (41R)  | October 23, 2009          |
| Missouri River, from Marias River to Bullwhacker Creek (41T) | November 17, 2009         |
| Milk River above Fresno Reservoir (40F)                      | April 15, 2011            |
| Rosebud Creek (42A)  | December 13, 2012         |
| Red Rock River (41A)   | January 10, 2013          |
| Peoples Creek (40I)  | February 5, 2013          |
| Shoshone River (43N)   | February 12, 2013         |
| Yellowstone River below Powder River (42M)                   | July 17, 2013             |
| Missouri R between Bullwhacker & Musselshell (40EJ)          | September 25, 2013        |
| St. Mary River (40T)   | January 31, 2014          |
| Marias River (41P)   | September 8, 2014         |
| Two Medicine River (41M)                                     | October 27, 2014          |
| Cut Bank Creek (41L)   | January 23, 2015          |
| Mainstem Bitterroot River and East Side (76HA)               | May 8, 2015               |

WATER POLICY INTERIM  
COMMITTEE 2017-18

Bighorn River below Greybull River (43P)  
**Flathead River (76LJ)**  
**Flathead River below Flathead Lake (76L)**

June 10, 2015  
**March 17, 2017**  
**March 17, 2017**

| <b>Decrees Issued by Water Court</b>                                    | <b>Date Issued</b> | <b>Number of Claims</b> |
|---|--------------------|-------------------------|
| Teton River (41O)   | 12/29/2005         | 2,541                   |
| Union Creek (part of 76F)   | 3/10/2006          | 42                      |
| Big Hole River (41D)  | 4/6/2007           | 3,892                   |
| Missouri River (41QJ)   | 2/6/2008           | 2,584                   |
| Tongue River (42C)  | 2/28/2008          | 4,710                   |
| Tongue River (42B)  | 2/28/2008          | 1,345                   |
| Forest Service Compact  | 5/19/2008          | 262                     |
| BLM-Montana Compact   | 3/6/2009           | 2                       |
| Beaver Creek (40M)  | 3/20/2009          | 2,942                   |
| Big Muddy Creek (40R)   | 1/28/2010          | 2,029                   |
| Pryor Creek (43E)   | 2/25/2010          | 629                     |
| Little Big Horn River (43O)   | 3/17/2010          | 1,176                   |
| Missouri River from Sun River to Marias River (41Q)                     | 5/27/2010          | 4,127                   |
| Milk River between Fresno Res & Whitewater (40J)                        | 6/24/2010          | 12,897                  |
| Smith River (41J)   | 12/16/2010         | 2,719                   |
| Blackfoot River (76F)   | 2/10/2011          | 3,717                   |
| Flatwillow Creek (40B)  | 5/5/2011           | 3,677                   |
| Arrow Creek (41R)   | 6/23/2011          | 2,179                   |
| National Bison Range Compact  | 9/30/2011          | 97                      |
| Missouri River, from Marias River to Bullwhacker Creek (41T)            | 4/19/2012          | 3,073                   |
| Crow Tribe of Indians Montana Compact                                   | 1/28/2013          | NA                      |
| Beaverhead River (41B)  | 5/9/2013           | 2,238                   |
| Red Rock River (41A)  | 5/9/2013           | 2,861                   |
| Rosebud Creek (42A)   | 5/23/2013          | 1,220                   |
| Shoshone River (43N)  | 6/13/2013          | 165                     |
| Peoples Creek (40I)   | 6/20/2013          | 686                     |
| Milk River above Fresno Reservoir (40F)                                 | 12/12/2013         | 2,339                   |
| Yellowstone River below Powder River (42M)                              | 1/24/2014          | 5,290                   |
| Bowdoin National Wildlife Refuge Compact                                | 4/2/2014           | 7                       |
| Missouri River between Bullwhacker & Musselshell River (40EJ)           | 4/25/2014          | 2,676                   |
| St. Mary River (40T)  | 6/25/2014          | 267                     |
| Two Medicine River (41M)  | 3/20/2015          | 1,149                   |
| Marias River (41P)  | 4/23/2015          | 3,905                   |
| US F&WS, Charles M. Russell National Wildlife<br>Refuge-Montana Compact | 7/30/2015          | 114                     |
| BLM Upper Missouri River National Monument-<br>Montana Compact          | 9/24/2015          | 2                       |
| Cut Bank Creek (41L)  | 10/8/2015          | 7,22                    |
| Bitterroot River, East Side (76HA)                                      | 12/4/2015          | 2,867                   |
| Bighorn River below Greybull River (43P)                                | 1/28/2016          | 2,117                   |

Above decrees scanned and available at:

[http://www.dnrc.mt.gov/wrd/water\\_rts/adjudication/default.asp](http://www.dnrc.mt.gov/wrd/water_rts/adjudication/default.asp)

| <b><u>Reexamination - Summary Reports to Water Court</u></b> | <b><u>Date Issued</u></b> |
|--|---------------------------|
| Flint Creek (76GJ)   | 10/30/2015                |
| Clarks Fork Yellowstone River (43D)                          | 5/24/2016                 |
| Musselshell River, Below Roundup (40C)                       | 6/9/2016                  |
| Musselshell River, above Roundup (40A)                       | 1/12/2017                 |
| <b>Frenchman Creek (40L)</b>                                 | <b>5/31/2017</b>          |

| <b><u>Reexamination Decrees Issued by Water Court</u></b> | <b><u>Date Issued</u></b> | <b><u>Number of Claims</u></b> |
|---|---------------------------|--------------------------------|
| Flint Creek (76GJ)  | 5/19/2016                 | 1,129                          |
| <b>Clarks Fork Yellowstone River (43D)</b>                | <b>4/7/2017</b>           | <b>2,888</b>                   |
| <b>Musselshell River, Below Roundup (40C)</b>             | <b>6/7/2017</b>           | <b>3,951</b>                   |
| <b>Musselshell River, above Roundup (40A)</b>             | <b>6/7/2017</b>           | <b>6,108</b>                   |

#### **Assistance for District Court Enforcement of Water Court Decrees**

**2017 season completed updates and created new projects totaling 40 distribution areas including the entire Teton River basin.**

#### **Ownership Updates**

Department staff validate water right geocodes for property transfers:

- In 2010, 3,821 ownerships were updated involving 9,460 water rights
- In 2011, 6,245 ownerships were updated involving 15,765 water rights.
- In 2012, 8,729 ownerships were updated involving 20,496 water rights.
- In 2014, 7,618 ownerships were updated involving 18,360 water rights.
- In 2015, 7,711 ownerships were updated involving 17,483 water rights
- In 2016, 9,120 ownerships were updated involving 20,358 water rights
- In 2017, 10,351 ownerships were updated involving 21,797 water rights**

#### **Post Decree Assistance (July - FY2017)**

| <u>Case type</u>   | <u>Case count</u> | <u>Work hours</u> |
|--------------------|-------------------|-------------------|
| Certified case     |                   |                   |
| Case with Objector | <b>53</b>         | <b>1,223</b>      |
| 85-2-248 case      | <b>125</b>        | <b>3,925</b>      |
| General assist     |                   | <b>816</b>        |
| Total hours        |                   | <b>5,964</b>      |

**Exempt Claim Filings SB355 (effective Oct 1, 2013 - May 7,2017)**

The department received 2,430 statements of claim to date including: 363 for domestic wells and 2,067 for instream stock.

**Exempt Claim Filings HB110 (effective May 7,2017)**

The Adjudication Bureau directed by HB110, mailed out approximately 350,000 notices to unique property owners across the state. This mailing occurred the week of June 19<sup>th</sup> to meet the July 1<sup>st</sup> 2017 notice deadline. Notice was run in all daily papers once a week for two consecutive weeks and notice sent to all 56 County Court Houses to be posted. As of June 30<sup>th</sup> we received 196 claims and have many more in the process.

The help line at 444-0560 has answered between 100 and 400 calls per day (201 average) with an average wait time of less than 45 seconds.

Most people calling want to know what this is about and do I have water rights?

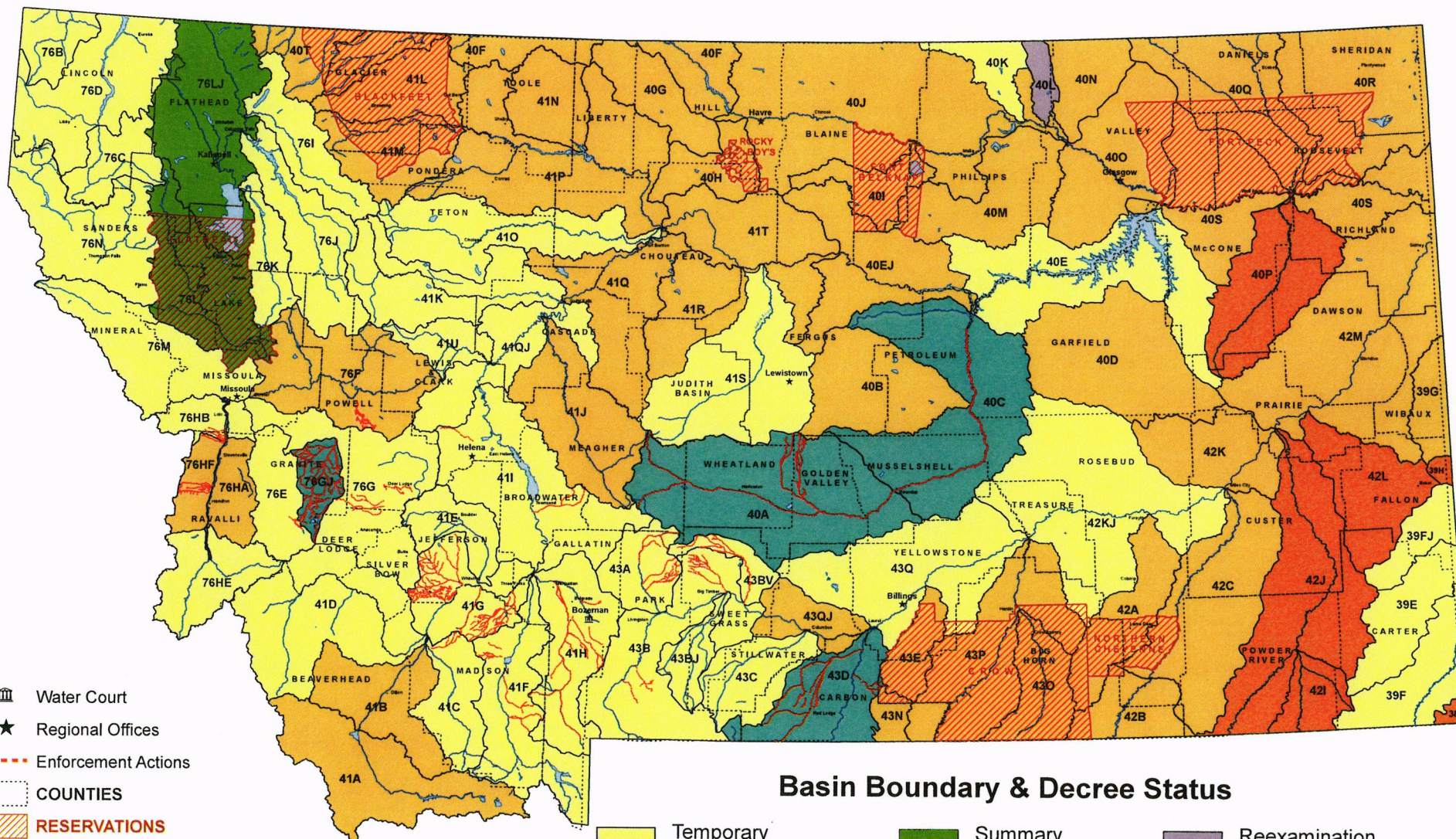
Many additional help features for HB110 are available at the web link below:

*<http://dnrc.mt.gov/divisions/water/adjudication/hb-110-exempt-claim-filing>*



# Basin Location and Adjudication Status

June 28, 2017



Water Resources Division  
Jun 2017  
NAD 1983 StatePlane Montana FIPS 2500